This listing of claims will replace all prior versions and listings of claims in the application.

## **Listing of Claims:**

- 1. (Original) An electret condenser, comprising:
- a first film including a first electrode;
- a second film including a second electrode and an electret film;
- a first insulting film formed between the first film and the second film; and
- an air gap formed by removing part of the first insulating film,

wherein respective parts of the first film and the second film exposed in the air gap are formed of a second insulating film.

2. (Currently Amended) The electret condenser of Claim 1,

wherein at least one of the first electrode <u>film</u> and the second electrode <u>film</u> has a through hole communicating with the air gap.

- 3. (Original) The electret condenser of Claim 1,
- wherein the second insulating film is an insulating film having tensile stress.
- 4. (Original) The electret condenser of Claim 1,
- wherein the second insulating film is a silicon nitride film.
- 5. (Original) The electret condenser of Claim 1,

wherein the first insulating film is a lamination layer of a plurality of insulating films made of the same material.

6. (Original) The electret condenser of Claim 1,

wherein the first film is a fixed film, and the second film is a vibrating film.